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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,345	04/12/2001	Rabindranath Dutta	AUS920010215US1	3789
35525	7590	03/07/2007	EXAMINER	
IBM CORP (YA)			KESACK, DANIEL	
C/O YEE & ASSOCIATES PC				
P.O. BOX 802333			ART UNIT	
DALLAS, TX 75380			PAPER NUMBER	
			3691	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/833,345

Applicant(s)

DUTTA ET AL.

Examiner

Dan Kesack

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 12-17, 21-26 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 12-17, 21-26 and 30-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/7/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Amendment filed December 7, 2006 has been entered and fully considered.

Claims 1-6, 12-17, 21-26 and 30-32 are currently pending. The rejections are as stated below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1, 3, 5, 6, 12, 14, 16, 17, 21, 23, 25, 26 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powar, U.S. Patent No. 6,438,527, in view of Jones, U.S. Patent No. 6,661,910.

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Claims 1, 3, 12, 14, 21, 23, Powar discloses a method and apparatus for paying bills electronically using machine readable information from an invoice, for use at an ATM, comprising scanning a bill, wherein the bill includes a barcode providing payment information, performing optical character recognition on the bill to identify the payment information and processing the bill using the payment information (column 2 line 65 – column 3 line 5 and column 5 line 63 – column 6 line 35).

Powar fails to teach scanning the bill at the automatic teller machine to form a bill image.

Jones discloses a system and method for transporting and processing images, wherein a document, such as an invoice, may be scanned at an ATM, for processing the document (column 5 lines 48-54 and column 8 lines 9-18). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Powar to include scanning the bill at an ATM to form a bill image because Powar suggests the invention for use with an ATM (column 3 line 5), and Jones teaches numerous advantages of generating and maintaining the bill image, including communicating the image to a central location for quicker processing, and displaying the image to a bank employee for error checking (column 9 lines 1-28).

Claims 5, 16, 25, Powar teaches presenting payment options to the user and initiating a transfer of funds to pay the bill in response to a selected user input using a payment option selected by the user (column 5 lines 32-45).

Claims 6, 17, 26, Powar teaches displaying an amount of the bill to a user (column 6 lines 18-25).

Claims 30-32, Powar and Jones fail to teach presenting an option to a user to pay an amount less than the full amount of the bill. Official Notice is taken that providing the option of paying a "minimum due" amount, which is less than the full amount of a bill, is old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Powar and Jones to include the option to pay an amount less than the full amount of the bill because many bills are not required to be paid in full, and it is desirable that any system for paying bills provide an option incorporating this well known feature.

5. Claims 4, 15, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powar and Jones, as applied above, and further in view of Hidaka et al., U.S. Patent No 6,782,402.

Powar and Jones fail to teach adding a time stamp to the bill image.

Hidaka teaches a system and method for gathering image data by a scanner and storing said data in an image file, along with a timestamp (column 48 line 60 – column 49 line 10). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Powar to include a time stamping the image data for record keeping purposes as a record of when the bill was processed

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because such a record is vital and necessary for keeping records of invoices issued and bills paid.

6. Claims 2, 13, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powar and Jones, as applied above, and further in view of Nishijima et al., U.S. Patent No. 7,088,907.

Powar and Jones fail to teach generating a video recording of the user during processing of the bill.

Nishijima teaches a video camera that is disposed near an automatic teller machine for capturing video of a user at the ATM, and attaching user information to the image capture. It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Powar to include the video camera capturing device of Nishijima because the camera provides security, and security is very much desired at automatic teller machines.

Response to Arguments

7. Applicant's arguments with respect to claims 1-6, 12-17, and 21-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Kesack whose telephone number is 571-272-5882. The examiner can normally be reached on M-F, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



HANI M. KAZIMI
PRIMARY EXAMINER